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FACSIMILE COVER LETTER

To: R. Kallis
Firm: U.S.P.T.O.
Facsimile No.: 703-872-9306
From: Marilyn Matthes Brogan
Date: February 12, 2004
Re: U.S. Application Serial No. 09/744,852
Our Ref. No. 514413-3864

No. of Pages: 8
(including cover page)

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PATENT
514413-3864

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Claus Frohberg
 Serial No. : 09/744,852
 Filed : May 31, 2001
 For : NUCLEIC ACID MOLECULE CODING FOR β -AMYLASE,
 PLANTS SYNTHESIZING A MODIFIED STARCH, METHOD
 OF PRODUCTION AND APPLICATIONS
 Examiner: R. Kallis
 Group Art Unit : 1638

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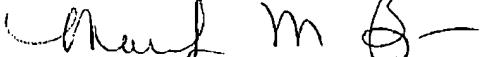
EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116

FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the
 Patent and Trademark Office on the date shown below.

Marilyn Matthes Brogan Reg. No. 31,223

Type or print name of
 person signing certification



Signature

February 12, 2004

Date of Signature

SECOND AMENDMENT AFTER FINAL OFFICE ACTION
WITH REQUEST FOR EXTENSION OF TIME

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22131-1450

Sir:

This is in response to the Advisory Action mailed on January 16, 2004, and in further
 response to the Office Action mailed on September 10, 2003.

PATENT
514413-3864

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136(a), a three-month extension of the period for reply, *i.e.*, to up to and including March 10, 2004, is requested. The Commissioner is authorized to charge \$950.00 in payment of the fee under 37 C.F.R. §1.17(a), any additional required fee for this extension of time or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.